The Hagstrom Report

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Sugar Association petitions FDA for labeling of low-, no-calorie sweeteners

The Sugar Association, the scientific voice of the U.S. sugar industry, today filed a Food and Drug Administration citizen petition asking the agency to require “complete and accurate labeling of low- and no-calorie sweeteners on food packages.”

Courtney Gaine

After FDA included an “added sugars” line when it overhauled the Nutrition Facts Label, there has been “an explosion” of food companies shifting from high-calorie sweeteners to low- and no-calorie sweeteners, Sugar Association President and CEO Courtney Gaine said. Those sweeteners are listed as ingredients, but it is hard for consumers to figure out what role they play in the food, she added.

Under the proposal, “when packaged foods contain sweeteners not disclosed on the Nutrition Facts label, including but not limited to, Aspartame, Saccharin, Acesulfame Potassium (Ace-K), Neotame, Sucralose, Steviol Glycosides (Stevia) and Lou Han Guo (Monk Fruit), the name of the ingredient would be followed by the word (Sweetener).”

FDA should have required the labeling of low- and no-calorie sweeteners when it overhauled the Nutrition Facts label, Gaine added.

“It is a natural extension of the overhaul of the Nutrition Facts label,” Gaine said. “We see this as an oversight by FDA.”

The petition asks the FDA to require the following changes to food labeling by issuing official industry guidance supported by the agency’s enforcement discretion:

▪ Add the term “Sweetener” in parentheses after the name of all non-nutritive sweeteners in the ingredient list.
▪ For children’s food and beverages, indicate the type and quantity of non-nutritive sweeteners, in milligrams per serving, on the front of food packages.
▪ For products making a sugar content claim (i.e. No/Low/Reduced Sugar), require the disclosure, “Sweetened with [name of Sweetener(s)]” beneath the claim.
▪ Disclose the potential gastrointestinal side effects from the consumption of sugar alcohols and

some sugar substitutes in foods at the lowest observed effect levels.
▪ Ensure all sugar content claims related to sugar and sugar substitutes are truthful and non-misleading.

In addition, the petition asks FDA to require children's products made with non-nutritive sweeteners to disclose – on the front of packages – the type and quantity of sweeteners used. "This request is supported by the American Academy of Pediatrics November 2019 Policy Statement, The Use of Nonnutritive Sweeteners in Children, and is necessary to gauge pediatric exposure to alternative sweeteners – something that is currently unknown," the association said.

Similarly, the petition asks that products bearing sugar content claims require the disclosure "Sweetened with [name of Sweetener(s)]" beneath the claim. "The need for this action is critical due to the increased use of sugar substitutes and sharp rise in misleading 'No Added Sugar,' 'Zero Sugar,' and 'Reduced Sugar' claims on food packages, partly driven by the FDA's new mandatory labeling of added sugars on the Nutrition Facts Panel," Gaine said.

The petition also asks the FDA to use its enforcement discretion to require the disclosure "Not lower in calories" for the use of "No/Reduced Added Sugar" claims on the labels of foods when the product does not have 25% fewer calories than the food product to which it is compared. "Seventy percent of consumers believe that products labeled 'Reduced Sugar' contain fewer calories than the original product," Gaine said, noting that some products are actually higher in calories after the change in ingredients.

Gaine said that consumer research shows that consumers identify food additive sweetening ingredients only 37% of the time, 73% of parents think it's important to know the amount of sugar substitutes in their children's food and that 66% of consumers say it's important for sugar substitutes to be clearly identified as sweeteners on food labels.

Gaine, who represents sugar beet and cane growers, processors and refiners, said she had not presented the petition to any food manufacturers or trade groups.

Gaine said the Sugar Association would also launch a Campaign for Sweetener Transparency on social media for the next six months.

FDA must respond to a citizen petition in six months, but Gaine noted that action on a petition sometimes takes years.